## UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA VALDOSTA DIVISION

SONY BMG MUSIC ENTERTAINMENT, a	)	
Delaware general partnership; ELEKTRA	)	
ENTERTAINMENT GROUP INC., a	)	
Delaware corporation; CAPITOL RECORDS,	)	
INC., a Delaware corporation; ARISTA	)	
RECORDS LLC, a Delaware limited liability	)	
company; BMG MUSIC, a New York general	)	
partnership; UMG RECORDINGS, INC., a	)	CIVIL ACTION FILE
Delaware corporation; and VIRGIN	)	No. 7:05-CV-94 (HL)
RECORDS AMERICA, INC., a California	)	
corporation,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
	)	
	)	
KELVIN EUGENE BROWN,	)	
	)	
	)	
Defendant.	)	
	)	

## DEFAULT JUDGMENT AND PERMANENT INJUNCTION

Based upon Plaintiffs' Motion For Default Judgment By The Court, and good cause appearing therefore, it is hereby Ordered and Adjudged that:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the nine sound recordings listed in Exhibit A to the Complaint. Accordingly, having been adjudged to be in default, Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Six Thousand Seven Hundred and Fifty Dollars (\$6,750.00).

- 2. Defendant shall further pay Plaintiffs' costs of suit herein in the amount of Three Hundred and Ninety Dollars (\$390.00).
- 3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:
  - · "Make It Last Forever," on album "Make It Last Forever," by artist "Keith Sweat" (SR# 86-761);
  - · "In the Mood," on album "In the Mood with Tyrone Davis," by artist "Tyrone Davis" (SR# 8-557);
  - · "Unpretty," on album "Fanmail," by artist "TLC" (SR# 298-454);
  - · "People Everyday," on album "3 years 5 months & 2 days," by artist "Arrested Development" (SR# 143-502);
  - "Girls Dem Sugar," on album "Art And Life," by artist "Beenie Man" (SR# 284-383);
  - · "Take You Out," on album "Luther Vandross," by artist "Luther Vandross" (SR# 298-047);
  - · "Boombastic," on album "Boombastic," by artist "Shaggy" (SR# 222-048);
  - · "Outstanding," on album "Gap Band IV," by artist "Gap Band" (SR# 36-081);
  - · "These Are The Times," on album "Enter the Dru," by artist "Dru Hill" (SR# 290-402);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs)

("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e.,

Case 7:05-cv-00094-HL Document 8 Filed 02/15/06 Page 3 of 3

upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for

distribution to the public, except pursuant to a lawful license or with the express authority of

Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has

downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall

destroy all copies of those downloaded recordings transferred onto any physical medium or device

in Defendant's possession, custody, or control.

**SO ORDERED**, this the 15<sup>th</sup> day of February, 2006.

s/ Hugh Lawson

Hon. Hugh Lawson United States District Judge